

5. The legal description and map or plat of land in which certain interests are being acquired by the filing of this Complaint, pursuant to the Declaration of Taking, are set forth in Schedules “C” and “D.”

6. The interest being acquired in the property described in Schedules “C” and “D” is set forth in Schedule “E.”

7. The amount of just compensation estimated for the property interest being acquired is set forth in Schedule “F.”

8. The names and addresses of known parties having or claiming an interest in said acquired property are set forth in Schedule “G.”

9. Local and state taxing authorities may have or claim an interest in the property by reason of taxes and assessments due and eligible.

WHEREFORE, Plaintiff requests judgment that the interest described in Schedule “E” of the property described in Schedules “C” and “D” be condemned, and that just compensation for the taking of said interest be ascertained and awarded, and for such other relief as may be lawful and proper.

Respectfully submitted,

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Southern District of Texas

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SCHEDULE A

SCHEDULE A

AUTHORITY FOR THE TAKING

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved May 5, 2017, as Public Law 115-31, div. F, tit. VI, 131 Stat. 135, which appropriated the funds that shall be used for the taking.

SCHEDULE B

SCHEDULE B

PUBLIC PURPOSE

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

SCHEDULE C

SCHEDULE C

LEGAL DESCRIPTION

Hidalgo County, Texas

Tracts: RGV-MER-3015-1, RGV-MER-3015-2

Owner: Mary Frances Chupick Bennett, Trustee of the Bennett Marital Trust

Acres: 5.934

RGV-MER-3015-1

BEING a 3.792 acre tract (165,192 square feet) parcel of land, more or less, being out of a called 246.80 acre tract, recorded in Document No. 2853131, Official Records of Hidalgo County (O.R.H.C), Texas, conveyed to Mary Francis Chupick Bennett, Trustee of the Bennett Marital Trust U/W/D September 12, 2008, said 3.792 acre (165,192 square feet) parcel of land being more particularly described as follows;

COMMENCING at a found 2-1/2" steel pipe being the northeast corner of said Mary Francis Chupick Bennett tract, said point having a coordinate of N=16556527.226, E=1156135.470;

THENCE: S 01°35'23" E, along the east line of said Mary Francis Chupick Bennett tract, passing at 239.52 feet the northwest corner of a called 171.13 acre tract, recorded in Volume 2354, Page 771, Deed Records of Hidalgo County (D.R.H.C.), Texas, conveyed to Fuller Farms, passing at 5,269.59 feet a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1=RGV-O-9A_2-1-1", in total a distance of 5521.13 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-7=RGV-O-9A_2-1-2";

THENCE: S 88°52'22" W, departing the west line of said Fuller Farms tract and the east line of said Mary Francis Chupick Bennett tract, a distance of 25.57 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1-3=RGV-MER-3015-1" for the **POINT OF BEGINNING** and having a coordinate of N=16551007.717, E=1156263.084, said point being the southeast corner of the herein described proposed acquisition tract, said point being S 40°23'16" W, a distance of 226.37 feet from United States Corps of Engineers Control Point No. H125, said point also being on the riverside toe of a levee;

SCHEDULE C, (cont'd)

THENCE: S 60°01'25" W, departing said riverside toe of levee, a distance of 178.80 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-2" for an angle point;

THENCE: S 63°40'52" W, a distance of 161.58 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-3" for an angle point;

THENCE: S 63°41'27" W, a distance of 162.17 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-4" for an angle point;

THENCE: S 64°08'12" W, a distance of 69.79 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-5" for a point of curvature;

THENCE: along a curve to the right having a radius of 596.20 feet, an arc length of 217.53 feet, and a central angle of 20°54'19", with a chord bearing of S 76°38'11" W, a chord distance of 216.33 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-6" for a point on tangent;

THENCE: S 87°59'12" W, a distance of 36.66 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-7" for an angle point;

THENCE: S 89°11'16" W, a distance of 162.95 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-8" for an angle point;

THENCE: S 89°03'00" W, a distance of 65.25 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-9" for an angle point;

THENCE: S 89°37'52" W, a distance of 67.79 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-10" for an angle point;

SCHEDULE C, (cont'd)

THENCE: N 88°35'01" W, a distance of 29.44 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-MER-3015-11" for the southwest corner of the herein described proposed acquisition tract, said point being on the east line of a called 199.95 acre tract, recorded in Document No. 1346709, Official Records of Hidalgo County (O.R.H.C.), Texas, conveyed to the L.J. and J. Family Limited Partnership and the east line of a levee easement (20-H), recorded in Volume 432, Page 632, Deed Records of Hidalgo County (D.R.H.C.), Texas, conveyed to the United States of America, said point also being on the west line of said of said Mary Francis Chupick Bennett tract;

THENCE: N 01°10'15" W, along the east line of said levee easement (20-H), the west line of said Mary Francis Chupick Bennett tract, and the east line of said L.J. and J. Family Limited Partnership tract, passing at 68.12 feet the south line of a levee easement (19-H), recorded in Volume 434, Page 633, Deed Records of Hidalgo County (D.R.H.C.), Texas, conveyed to the United States of America, in total a distance of 150.72 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1-6=RGV-MER-3015-12" for the northwest corner of the herein described proposed acquisition tract, said point also being on the riverside toe of a wall and the riverside toe of levee;

THENCE: S 69°21'04" E, departing the west line of said levee easement (20-H), the west line of said Mary Francis Chupick Bennett tract, the east line of said L.J. and J. Family Limited Partnership tract, and the east line of said levee easement (19-H) and along said riverside toe of a wall and the riverside toe of levee, 1.72 feet to an angle point;

THENCE: S 88°35'01" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 32.28 feet to an angle point;

THENCE: N 89°37'52" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 64.69 feet to an angle point;

THENCE: N 89°03'00" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 64.67 feet to an angle point;

SCHEDULE C, (cont'd)

THENCE: N 89°11'16" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 161.56 feet to an angle point;

THENCE: N 87°59'12" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 32.42 feet to an angle point;

THENCE: N 85°56'33" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 32.54 feet to an angle point;

THENCE: N 80°12'39" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 32.30 feet to an angle point;

THENCE: N 76°55'04" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 32.63 feet to an angle point;

THENCE: N 72°04'22" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 32.58 feet to an angle point;

THENCE: N 68°43'22" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 21.40 feet to an angle point;

THENCE: N 67°31'29" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 10.79 feet to an angle point;

THENCE: N 64°08'12" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 64.77 feet to an angle point;

THENCE: N 63°41'27" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 161.56 feet to an angle point;

SCHEDULE C, (cont'd)

THENCE: N 63°40'52" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 161.58 feet to an angle point;

THENCE: N 63°40'44" E, along said riverside toe of a wall and the riverside toe of levee, a distance of 126.73 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1-5=RGV-MER-3015-13" for the northeast corner of the herein described proposed acquisition tract;

THENCE: S 26°12'26" E, departing said riverside toe of a wall and along the riverside toe of levee, a distance of 21.25 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1-4=RGV-MER-3015-14" for an angle point;

THENCE: N 82°42'46" E, along the riverside toe of levee, a distance of 35.95 feet to an angle point;

THENCE: S 60°30'10" E, along the riverside toe of levee, a distance of 31.86 feet to an angle point;

THENCE: S 31°46'16" E, along the riverside toe of levee, passing at 17.45 feet the south line of said levee easement (19-H), in total a distance of 35.10 feet to an angle point;

THENCE: S 21°49'56" E, along the riverside toe of levee, a distance of 44.46 feet to the **POINT OF BEGINNING** and containing 3.792 acres (165,192 square feet) of land, more or less.

SCHEDULE C, (cont'd)

RGV-MER-3015-2

BEING a 2.142 acre tract (93,303 square feet) parcel of land, more or less, being out of a called 246.80 acre tract, recorded in Document No. 2853131, Official Records of Hidalgo County (O.R.H.C.), Texas, conveyed to Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/D September 12, 2008, said 2.142 acre (93,303 square feet) parcel of land being more particularly described as follows;

COMMENCING at a found 2-1/2" steel pipe being the northeast corner of said Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/D September 12, 2008 tract, said point having a coordinate of N=16556527.226, E=1156135.470;

THENCE: S 01°35'23" E, along the east line of said Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/D September 12, 2008 tract, passing at 239.52 feet the northwest corner of a called 171.13 acre tract, conveyed to Fuller Farms by Volume 2354, Page 771, Deed Records of Hidalgo County (D.R.H.C.), in total a distance of 5,269.59 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1=RGV-O-9A_2-1-1" for the **POINT OF BEGINNING** and having a coordinate of N=16551259.663, E=1156281.669, said point being on the said east line of Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/D September 12, 2008 tract and the west line of said Fuller Farms tract, said point being the northeast corner of the herein described proposed acquisition tract, said point being N 58°10'10" W, a distance of 150.24 feet from United States Corps of Engineers Control Point No. H125, said point also being on the landside toe of a levee;

SCHEDULE C, (cont'd)

THENCE: S 01°35'23" E, departing said landside toe of levee, and along said eas line of Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/I September 12, 2008 tract and said west line of Fuller Farms tract, passing at 30.51 feet the north line of a levee easement to the United States of America, recorded in Volume 434, Page 633 (19-H), Deed Records of Hidalgo County, at 180.51 feet the south line of said levee easement, in total a distance of 251.54 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-7=RGV-O-9A_2-1-2", said point being on the riverside toe of a levee, and said point also being the southeast corner of the herein described proposed acquisition tract;

THENCE: S 88°52'22" W, along said riverside toe of levee, 25.57 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2 1-3" for an angle point;

THENCE: N 21°49'56" W, along said riverside toe of levee, a distance of 44.46 feet to an angle point;

THENCE: N 31°46'16" W, along said riverside toe of levee, passing at 17.64 feet the south line of said levee easement, in total a distance of 35.10 feet to an angle point;

THENCE: N 60°30'10" W, along said riverside toe of levee, a distance of 31.86 feet to an angle point;

THENCE: S 82°42'46" W, along said riverside toe of levee, a distance of 35.95 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1-4" for an angle point;

THENCE: N 26°12'26" W, along said riverside toe of levee, a distance of 21.25 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1-5" for an angle point, said point being on the riverside toe of a wall;

SCHEDULE C, (cont'd)

THENCE: S 63°40'44" W, along said riverside toe of wall, a distance of 126.73 feet to an angle point;

THENCE: S 63°40'52" W, along said riverside toe of wall, a distance of 161.58 feet to an angle point;

THENCE: S 63°41'27" W, along said riverside toe of wall, a distance of 161.56 feet to an angle point;

THENCE: S 64°08'12" W, along said riverside toe of wall, a distance of 64.77 feet to an angle point;

THENCE: S 67°31'29" W, along said riverside toe of wall, a distance of 10.79 feet to an angle point;

THENCE: S 68°43'22" W, along said riverside toe of wall, a distance of 21.40 feet to an angle point;

THENCE: S 72°04'22" W, along said riverside toe of wall, a distance of 32.58 feet to an angle point;

THENCE: S 76°55'04" W, along said riverside toe of wall, a distance of 32.63 feet to an angle point;

THENCE: S 80°12'39" W, along said riverside toe of wall, a distance of 32.30 feet to an angle point;

THENCE: S 85°56'33" W, along said riverside toe of wall, a distance of 32.54 feet to an angle point;

THENCE: S 87°59'12" W, along said riverside toe of wall, a distance of 32.42 feet to an angle point;

THENCE: S 89°11'16" W, along said riverside toe of wall, a distance of 161.56 feet to an angle point;

SCHEDULE C, (cont'd)

THENCE: S 89°03'00" W, along said riverside toe of wall, a distance of 64.67 feet to an angle point;

THENCE: S 89°37'52" W, along said riverside toe of wall, a distance of 64.69 feet to an angle point;

THENCE: N 88°35'01" W, along said riverside toe of wall, a distance of 32.28 feet to an angle point;

THENCE: N 69°21'04" W, along said riverside toe of wall, a distance of 1.72 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-9A_2-1-6", said point being on the west line of said Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/D September 12, 2008 tract, and the east line of a called 199.95 acre tract, conveyed to L.J. and J. Family Limited Partnership by Document No. 1346709, Official Records of Hidalgo County (O.R.H.C.), said point also being the southwest corner of the herein described proposed acquisition tract;

THENCE: N 01°10'15" W, departing said riverside toe of wall, and along said west line of Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/D September 12, 2008 tract, and said east line of L.J. and J. Family Limited Partnership tract a distance of 111.14 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-2A_2-1-7", said point being on the landside toe of levee, said point also being the northwest corner of the herein described proposed acquisition tract;

THENCE: S 84°19'18" E, departing said west line of Mary Francis Chupick Bennett, Trustee of the Bennett Martial Trust U/W/D September 12, 2008 tract, and said east line of L.J. and J. Family Limited Partnership tract, and along said landside toe of levee, a distance of 34.79 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-2A_2-1-8" for an angle point;

THENCE: S 55°00'10" E, along said landside toe of levee, passing at 41.45 feet the north line of said levee easement to the United States of America (19-H), in total a distance of 46.66 feet to an angle point;

SCHEDULE C, (cont'd)

THENCE: S 82°41'40" E, along said landside toe of levee, a distance of 76.67 feet to an angle point;

THENCE: S 89°55'14" E, along said landside toe of levee, passing at 64.26 feet the north line of said levee easement, in total a distance of 145.48 feet to an angle point;

THENCE: N 82°44'33" E, along said riverside toe of levee, passing at 13.88 feet the north line of said levee easement, in total a distance of 128.98 feet to an angle point;

THENCE: N 73°26'38" E, along said landside toe of levee, passing at 67.93 feet the north line of said levee easement, in total a distance of 124.01 feet to an angle point;

THENCE: N 62°51'54" E, along said landside toe of levee, a distance of 219.25 feet to an angle point;

THENCE: N 64°48'59" E, along said landside toe of levee, a distance of 241.36 feet to an angle point;

THENCE: N 61°55'19" E, along said landside toe of levee, a distance of 113.51 feet to an angle point;

THENCE: N 43°44'56" E, along said landside toe of levee, passing at 13.07 feet the north line of said levee easement, in total a distance of 17.49 feet to an angle point;

THENCE: N 10°35'22" E, along said landside toe of levee, a distance of 27.45 feet to a set 5/8" rebar with a "B&F Engineering, Inc." aluminum cap stamped "RGV-O-2A_2-1-9" for an angle point;

THENCE: N 88°55'33" E, along said landside toe of levee, a distance of 32.32 feet to the **POINT OF BEGINNING** and containing 2.142 acres (93,303 square feet) of land, more or less.

SCHEDULE D

LEGEND

DRHC	DEED RECORDS OF HIDALGO COUNTY	●	SET 5/8" REBAR W/ "B&F" CAP STAMPED AS NOTED
INST.	INSTRUMENT	○	FOUND MONUMENT AS NOTED
NO.	NUMBER	○CP	COMPUTED POINT
ORHC	OFFICIAL RECORDS OF HIDALGO COUNTY	△	CONTROL POINT
PG.	PAGE	—	ACQUISITION AREA BOUNDARY
POB	POINT OF BEGINNING	—○—	EXISTING BOLLARD WALL
POC	POINT OF COMMENCING	---	LEEVE EASEMENT
VOL.	VOLUME	—PL—	PROPERTY LINE

EASEMENT

1 UNITED STATES OF AMERICA EASEMENT VOL. 434, PG. 633 ("19-H") DRHC

2 UNITED STATES OF AMERICA EASEMENT VOL. 426, PG. 7 ("18-H") DRHC

60 50 40 30 20 10 0 30 60
SCALE IN FEET

TRACT NO. RGV-MER-3015-1
FULLER GATE
ACQUISITION AREA: 3.792 ACRES

RGV-MER-3015-1

RGV-MER-3015-2

RGV-MER-3015-14

RGV-MER-3015-13

RGV-MER-3015-15

RGV-MER-3015-16

RGV-MER-3015-17

RGV-MER-3015-18

RGV-MER-3015-19

RGV-MER-3015-20

RGV-MER-3015-21

RGV-MER-3015-22

RGV-MER-3015-23

RGV-MER-3015-24

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RGV-MER-3015-142

RGV-MER-3015-143

RGV-MER-3015-144

RGV-MER-3015-145

RGV-MER-3015-146

RGV-MER-3015-147

RGV-MER-3015-148

RGV-MER-3015-149

RGV-MER-3015-150

RGV-MER-3015-151

RGV-MER-3015-152

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RGV-MER-3015-157

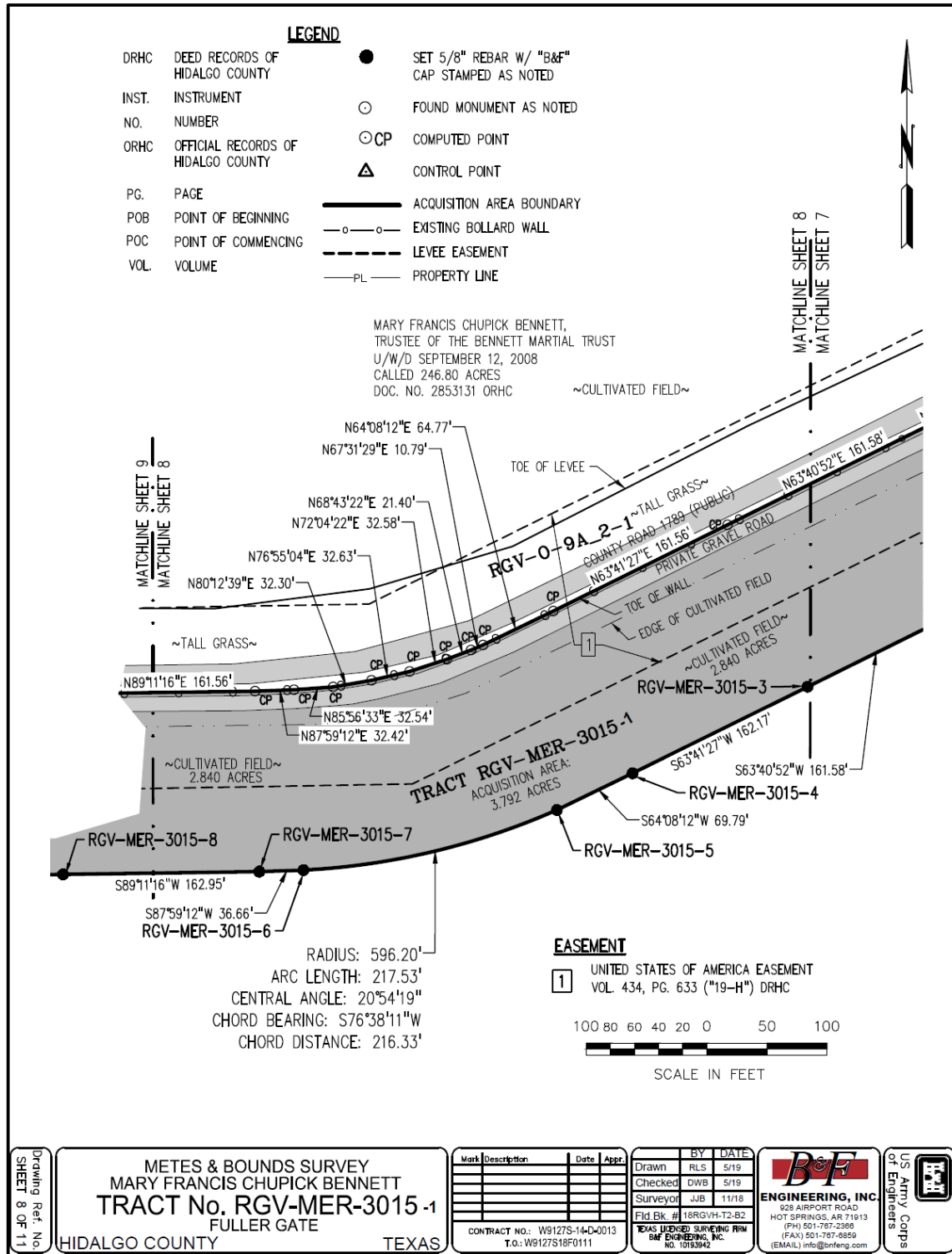
RGV-MER-3015-158

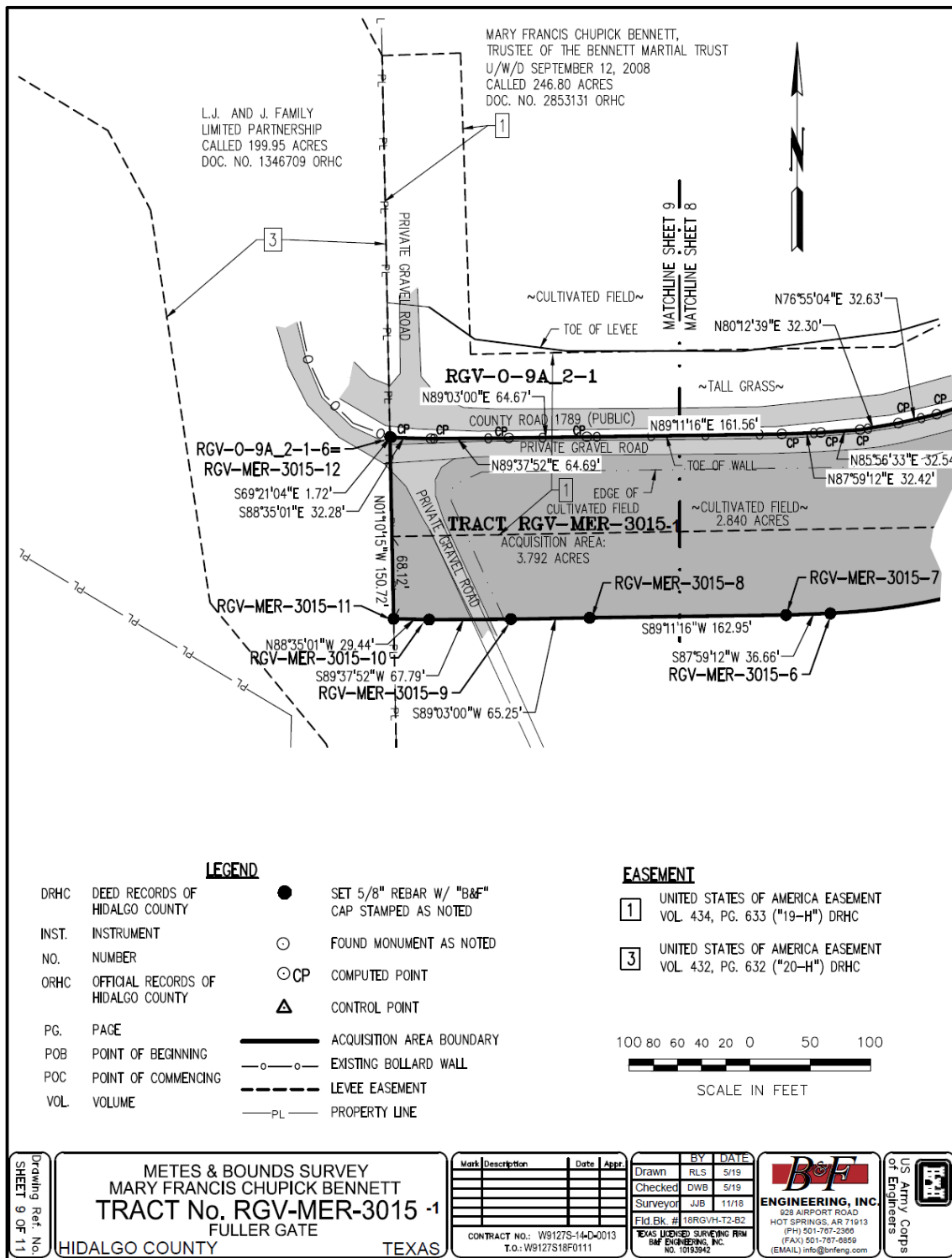
RGV-MER-3015-159

RGV-MER-3015-160

RGV-MER-3015-161

RGV-MER-3015-1

SCHEDULE D, cont'd



SCHEDULE D, cont'd

SCHEDULE D, cont'd

DESCRIPTION	NORTHING	EASTING
RGV-0-9A_2-1-3= RGV-MER-3015-1	16551007.717	1156263.084
RGV-MER-3015-2	16550918.383	1156108.205
RGV-MER-3015-3	16550846.742	1155963.372
RGV-MER-3015-4	16550774.867	1155818.003
RGV-MER-3015-5	16550744.422	1155755.201
RGV-MER-3015-6	16550694.423	1155544.732
RGV-MER-3015-7	16550693.135	1155508.091
RGV-MER-3015-8	16550690.825	1155345.153
RGV-MER-3015-9	16550689.743	1155279.909
RGV-MER-3015-10	16550689.307	1155212.124
RGV-MER-3015-11	16550690.034	1155182.695
RGV-0-9A_2-1-6= RGV-MER-3015-12	16550840.723	1155179.615
RGV-0-9A_2-1-5= RGV-MER-3015-13	16551109.025	1156155.289
RGV-0-9A_2-1-4= RGV-MER-3015-14	16551089.955	1156164.676

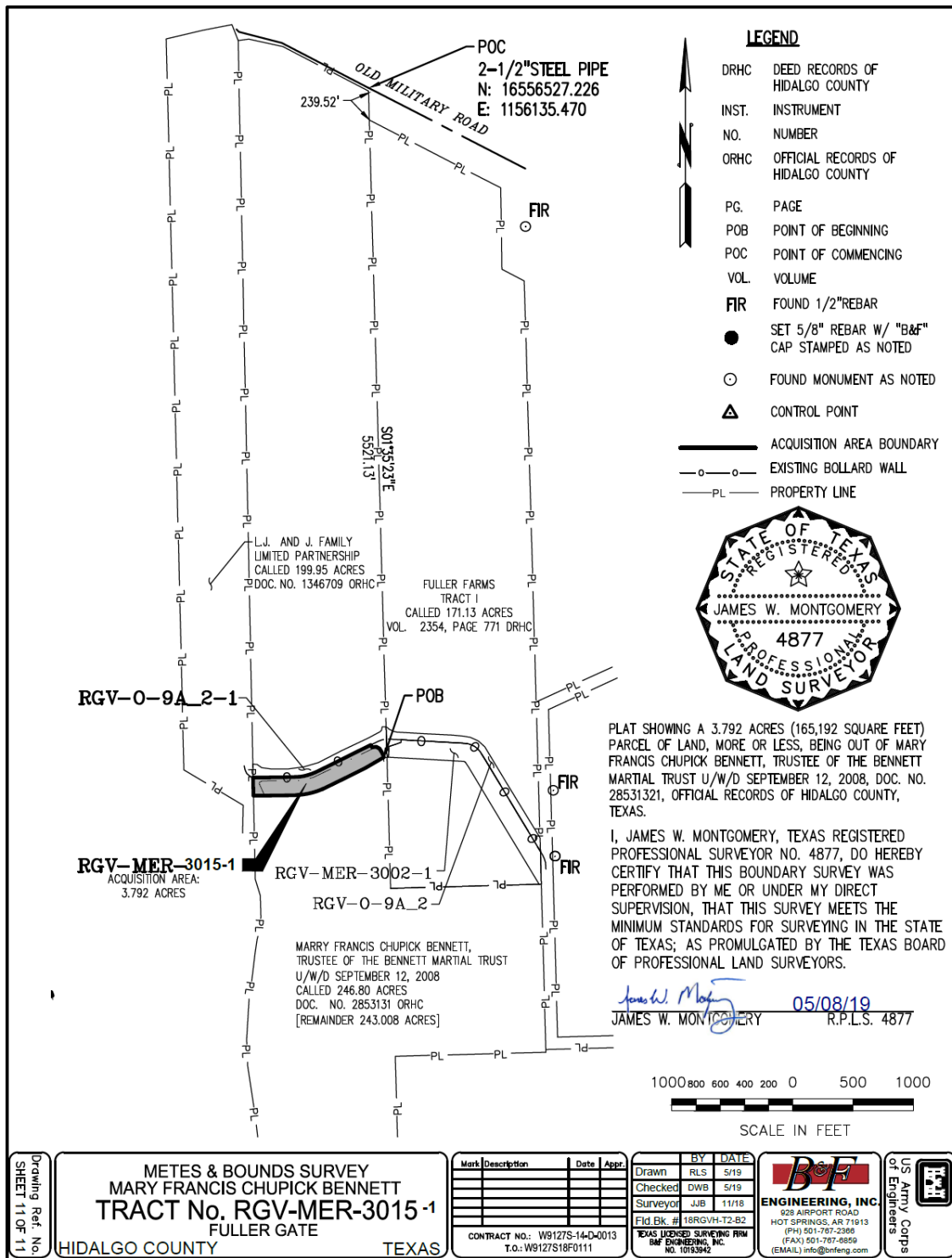
GENERAL SURVEYOR'S NOTES:

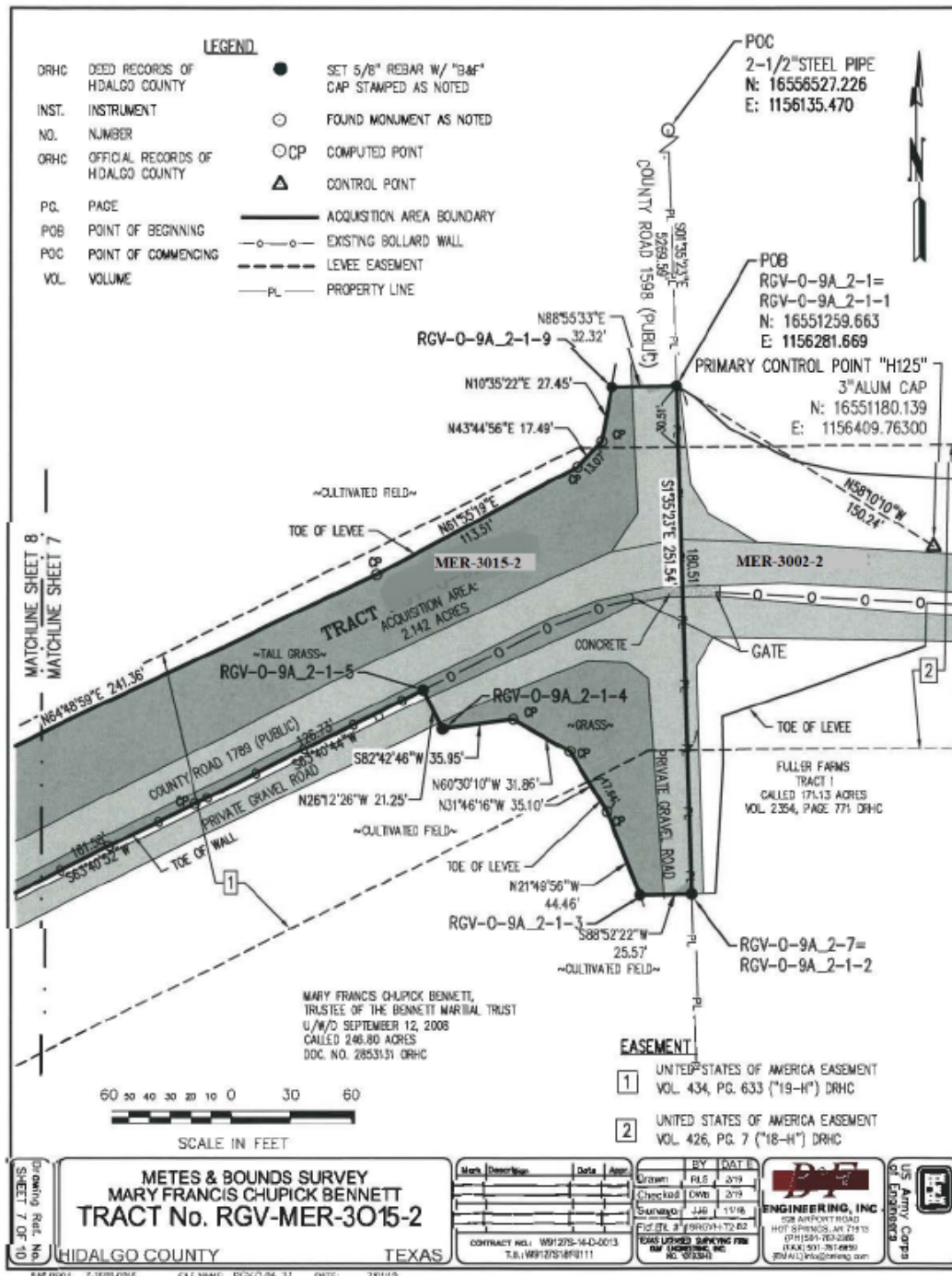
1. THE BEARINGS, DISTANCES AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD 83(2011), TX SOUTH ZONE(4205), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TXDOT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPERATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONJUNCTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE REMAINING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY WAS COMPLETED IN NOVEMBER, 2018.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. B&F ENGINEERING, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS THE PRIME CONSULTANT. THE CORP'S CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN CORLEY, RPLS (817) 886-1143.
8. LONE STAR 811 UTILITY LOCATE REQUEST WAS SUBMITTED FOR THIS SURVEY ON SEPTEMBER 25, 2018 (TICKET NO. 1876843589).

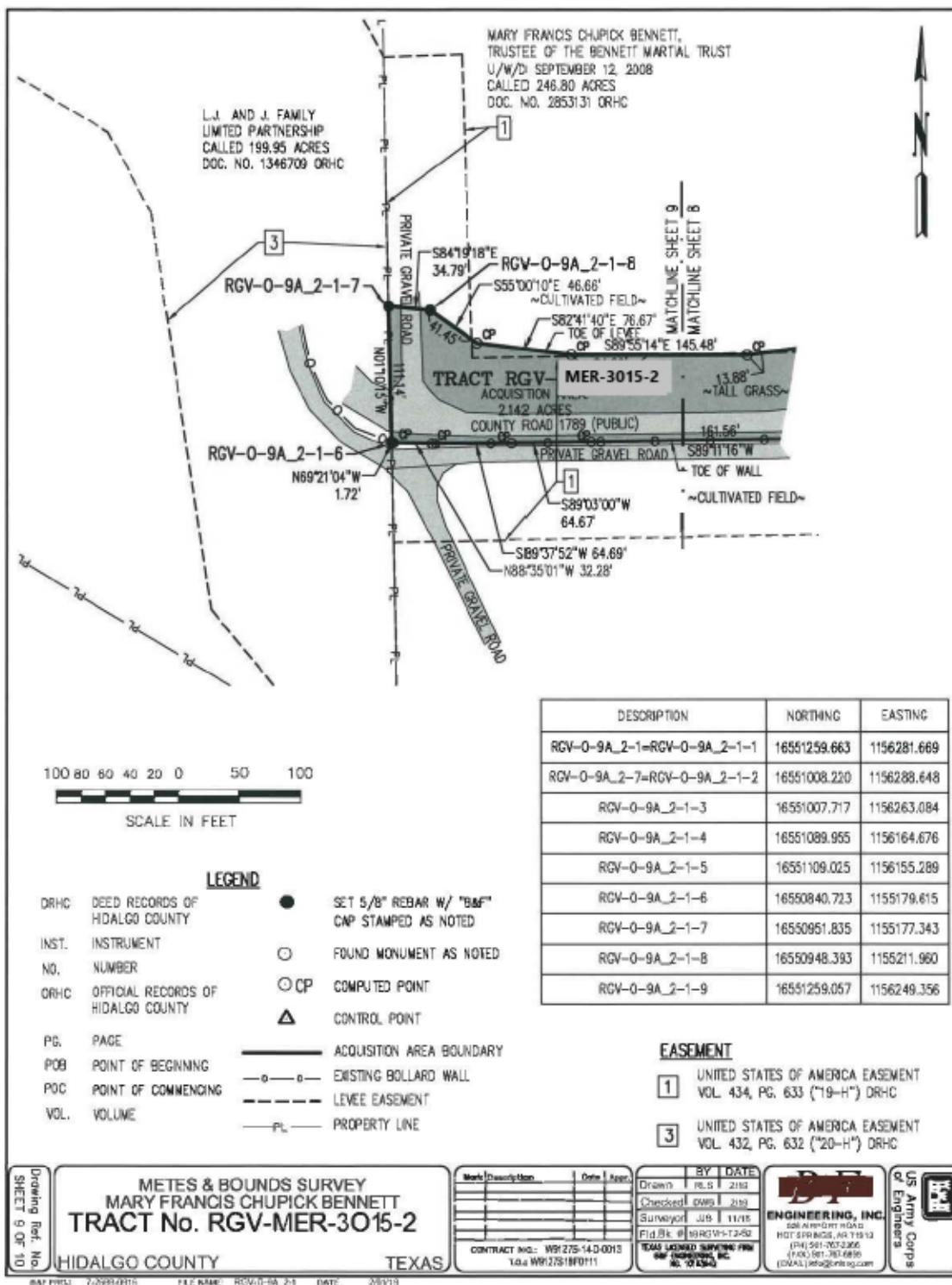
Drawing Ref. No. SHEET 10 OF 11	METES & BOUNDS SURVEY MARY FRANCIS CHUPICK BENNETT TRACT No. RGV-MER-3015 -1 FULLER GATE HIDALGO COUNTY TEXAS		Mark	Description	Date	Appr.	BY	DATE	 B&F ENGINEERING, INC. 628 AIRPORT ROAD HOT SPRINGS, AR 71013 (PH) 501-767-2366 (FAX) 501-767-6859 (EMAIL) info@bmfeng.com	 US Army Corps of Engineers	
CONTRACT NO.: W9127S-14-D-0013 T.O.: W9127S18F0111			TEXAS LICENSED SURVEYING FIRM B&F ENGINEERING, INC. NO. 10153942								

B&F PROJ. 7-2688-0916

FILE NAME: RGV-MER-3015 DATE: 5/09/19

SCHEDULE D, cont'd



SCHEDULE D, cont'd

SCHEDULE E

SCHEDULE E

ESTATE TAKEN

Hidalgo County, Texas

Tracts: RGV-MER-3015-1, RGV-MER-3015-2

Owner: Mary Frances Chupick Bennett, Bennett Marital Trust

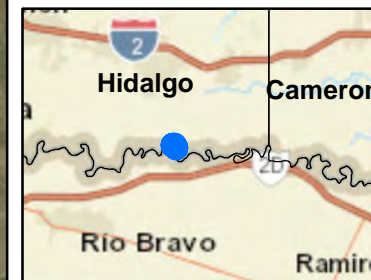
Acres: 5.934

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of the lands identified in Document No. 2853131, Official Records of Hidalgo County (O.R.H.C.) reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through Fuller Gate O-9A in the border barrier depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

Border Infrastructure Project - Fuller Gate O-9A



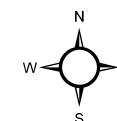
Hidalgo County

-Mary F. Chupick Bennett-

County ID	Tracts
198487	RGV-MER-3015-1 RGV-MER-3015-2

Legend

- Gate
- Tracts
- ParentTracts



0 600 1,200 Feet
1 inch = 1,200 feet



ADW
12/19/19



Warning: This document is **FOR OFFICIAL USE ONLY (FOUO)**. It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS

SCHEDULE F

SCHEDULE F

ESTIMATE OF JUST COMPENSATION

The sum estimated as just compensation for the land being taken is ONE HUNDRED THIRTEEN THOUSAND TWO HUNDRED TWO DOLLARS AND NO/100 (\$113,202.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

SCHEDULE G

SCHEDULE G**INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party	Reference
Mary Frances Chupick Bennett, Trustee of the Bennett Marital Trust [REDACTED] Dallas, Texas [REDACTED] c/o David Bennett (son of Trustee)	Executor Distribution Deed Without Warranty, Document #2017-2853131; Recorded September 28, 2017, Official Records of Hidalgo County
Pablo "Paul" Villarreal, Jr. Hidalgo County Tax Assessor & Collector 2804 S. Business Highway 2881, Edinburg, TX 78539	Taxing authority
Unknown Tenant Farmer	

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.